

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

MICHAEL MALISH and DEBRA	)	
MALISH,	)	
	)	
Plaintiffs,	)	
	)	CIVIL ACTION NO.
v.	)	2:17cv676-MHT
	)	(WO)
PATRICIA DAWN HURST,	)	
et al.,	)	
	)	
Defendants.	)	

ORDER

Upon consideration of unopposed motion to opt out filed by defendants GEICO Casualty Company and GEICO General Insurance Company (hereafter referred to jointly as "the GEICO defendants"), it is ORDERED that the motion (doc. no. 33) is granted as follows:

(1) The GEICO defendants are permitted to opt out of the trial of this cause and shall be bound by the jury's verdict to the extent set forth in numbered paragraph 2 of the motion.

(2) The remaining parties are prohibited from mentioning or referring to the GEICO defendants and

their involvement in the case, both during the trial and in the presence of the jury.

(3) The court reserves the issues relating to the plaintiffs' claim against the GEICO defendants, which are to be determined by the court based upon any judgment rendered against defendant Patricia Dawn Hurst, to the extent such judgment exceeds any liability benefits available to the plaintiffs pursuant to and in accordance with the terms and conditions of the policy of insurance issued by the GEICO defendants.

DONE, this the 8th day of February, 2019.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE